



OLR RESEARCH REPORT

December 13, 2012

2012-R-0521

ELDERLY DRIVING RESTRICTIONS AND MANDATORY TESTING REQUIREMENTS

By: Paul Frisman, Principal Analyst

You asked if Connecticut has any restrictions on, or mandatory testing requirements for, elderly drivers and, if not, if other states do. You specifically asked if medical professionals can report patients who have problems affecting their ability to drive safely to the Department of Motor Vehicles (DMV). This report updates OLR Report [2005-R-0882](#).

SUMMARY

Connecticut has no special testing requirements or restrictions specific to elderly drivers, although it allows anyone age 65 or older to renew his or her license for a two-year period, rather than the usual six-year period (CGS § [14-41a](#)).

However, state law authorizes the DMV commissioner to issue licenses with any limitation she deems advisable, regardless of a licensee's age.

The law also allows, but does not require, certain medical professionals to report to DMV the name, age, and address of anyone they find to have health problems that will significantly affect his or her ability to drive safely. Optometrists are similarly allowed to notify DMV of the name, age, and address of anyone with a vision problem that will significantly affect his or her driving ability. These reports are confidential, and apply to any driver, regardless of age.

The renewal procedures for older drivers in several states include additional testing not required of younger drivers, such as vision and road tests.

LIMITED LICENSES IN CONNECTICUT

Commissioner's Authority

By law, the commissioner may require any license applicant or license holder with a health problem that affects his or her ability to drive safely to personally demonstrate or otherwise show that he or she can properly operate a motor vehicle. The commissioner may require this of anyone, regardless of age. She also may require a certificate of the applicant's condition, signed by a medical authority whom the commissioner designates. The commissioner must keep the certificate confidential.

The commissioner may issue or renew a license with limitations she deems advisable, or, in the case of someone she finds is unable to drive safely, refuse to issue or suspend his or her license (CGS § [14-36\(e\)\(4\)](#)).

Connecticut regulations require the commissioner, in issuing a limited license, to consider a person's ability and competence, including his or her health problems or conditions, accident record, and driving history. She also must consider any recommendation made by (1) a physician who has examined the person and (2) the DMV Medical Advisory Board.

Whenever the commissioner has reason to believe that a person's license should be limited, she may require him or her to take a DMV driving test to determine his or her ability to operate a vehicle safely. She must consider the test results in deciding whether to place any limits on the person's license.

The license holder may be limited to driving only:

1. during daylight hours (one-half hour before sunrise to one-half hour after sunset);
2. when wearing corrective lenses prescribed by a licensed optometrist or ophthalmologist;
3. on roads other than limited access highways;
4. a motor vehicle with an automatic transmission;

5. a motor vehicle equipped with external mirrors located on both sides of the vehicle to reflect a view of the roadway at least 200 feet to the rear;
6. a motor vehicle having special controls or equipment; or
7. when wearing a working hearing aid.

A limited license may contain one or more of these limitations, which must be indicated on the license (Conn. Agencies Regs. §§ 14-36-4 and 14-36a-2).

Reporting by Medical Professionals

By law, a physician, physician assistant, or advance practice registered nurse may report to DMV, in writing, the name, age, and address of anyone he or she diagnoses to have (1) a chronic health problem which in the medical professional's opinion will significantly affect the driver's ability to drive safely, or (2) recurrent periods of unconsciousness uncontrolled by medical treatment. Similarly, an optometrist may report to DMV, in writing, the name, age, and address of anyone the optometrist knows to have a vision problem which in the optometrist's judgment will significantly affect the person's ability to drive safely. The law applies to all drivers, regardless of age. These reports are confidential and can be used only to determine whether someone is eligible to drive on state roads. No civil action may be brought against someone who provides such a report in good faith (CGS § [14-46](#)).

LICENSE RESTRICTIONS IN OTHER STATES

According to the Insurance Institute for Highway Safety (IIHS), the renewal procedures for older drivers in several states include additional testing not required of younger drivers, such as vision and road tests.

For example, South Carolina and Utah require vision tests for people age 65 or older; Florida and Virginia require vision tests for people age 80 and older. Illinois requires applicants age 75 and older to take a road test.

Licensing agencies that doubt a person's continued ability to drive may also require applicants, regardless of age, to take physical or mental tests, or to retake the standard vision, written, or road test. States usually have medical review boards that advise licensing agencies on individual cases.

“After reviewing a person’s fitness to drive, a licensing agency may allow the person to retain the license, refuse to renew the license, or suspend, revoke, or restrict [it],” according to IIHS. “Typical restrictions prohibit nighttime driving, require the vehicle to have additional mirrors, or limit driving to specified places or a limited radius from the driver’s home. Where the renewal cycle is not shorter for older drivers, licensing agencies have the authority to shorten the renewal cycle for individual license holders if their condition warrants.”

Information on individual state requirements, updated through November 2012, is available at IIHS’ website at:
<http://www.iihs.org/laws/OlderDrivers.aspx>.

PF:ro